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Letter dated 12 December 2002 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit herewith the English translation of a note verbale, dated 1 December 2002, from the Ministry of Foreign Affairs of the Islamic Republic of Iran addressed to the Embassy of the Transitional Islamic State of Afghanistan in Tehran (see annex), concerning the blockage of water flow in the Hirmand River, causing irreparable damage to the agriculture and animal husbandry in the Sistan region and the Hamun wetlands in the Islamic Republic of Iran.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under agenda item 87, and of the Security Council.

(*Signed*) M. Javad **Zarif**
Ambassador
Permanent Representative

02-74134 (E) 161202

Annex to the letter dated 12 December 2002 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of the Transitional Islamic State of Afghanistan in Tehran and, with reference to the note verbale dated 1 October 2002 from the Ministry of Foreign Affairs of the Embassy's respective Government concerning the flow of water towards Iran in the Hirmand River, has the honour to state the following:

The water started to flow, in a small quantity, into the territory of the Islamic Republic of Iran in the said river on 24 October 2002, but halted, once again, 15 days later. It should be recalled in this respect that the flow of water into the Islamic Republic of Iran in recent years has been much lower than the quota provided for in the 1973 Treaty on Hirmand. It has been completely blocked since 8 March 2000, causing enormous damage to the agriculture and animal husbandry in the region, and inflicting on its inhabitants major difficulties in obtaining their drinking-water supplies. Moreover, the internationally recognized wetland of Hamun has been completely dried out.

It should be emphasized that Afghanistan is under obligation, in accordance with the 1973 Treaty on Hirmand, to release 26 cubic metres of water per second into Iran on average. In the course of a joint inspection carried out by technical teams from Iran and Afghanistan to the Kajaki dam, in early September 2002, the two teams came to a joint conclusion that the flow of water at the hydrometric station at Dehrawud was 49 cubic metres per second and that the Kajaki dam had a considerable amount of water in its reservoir. Moreover, during the field observations conducted by the joint inspection team, the fact was established that the main cause of the water blockage was the closure of the gates at the Kajaki dam, which prevented the flow of water towards Iranian territory. Furthermore, information and evidence obtained through satellite photographs indicate that the amount of water in the upper reach of the Hirmand River and in the Kajaki dam has considerably increased in comparison to previous years, in particular since the joint inspections carried out in 2000 and 2002.

Therefore, the Islamic Republic of Iran expects Afghanistan, as a friendly country and on the basis of the good-neighbourly relations that exist between the two States, to implement the provisions of the 1973 Treaty concerning the sharing of Hirmand waters, as was emphasized by the heads of the two States in paragraph 3 of the instrument on cooperation between the two States signed on 27 February 2002 and underscored by the concerned authorities of Afghanistan, who signed the minutes of the meetings of the joint inspection team on 28 August 2002. Evidently, implementation of the 1973 Treaty will ameliorate, to a large extent, the unbearable living conditions of the inhabitants of the Sistan region and the Hamun wetlands caused by the blockage of the flow of water through the Hirmand River. Certainly, the sustained flow of water in the said river, in the quantity determined in accordance with the Treaty, will further strengthen the existing cordial relations between the two countries.

Considering the above-mentioned points and invoking article V of the 1973 Treaty on Hirmand, which stipulates "Afghanistan agrees that it shall take no action to deprive Iran totally or partially of its quota of the Hirmand water as fixed and defined by the provisions of articles II, III and IV of this Treaty", the Islamic Republic of Iran urges the Transitional Islamic State of Afghanistan to take all necessary measures to ensure the flow of water through the shared Parian River.